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10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-703*

13 **RONALD PHILIP ROSS**
14 **a.k.a. RONALD ROSS**
Route 4 Box 1670
15 **Checotah, OK 74426**

A C C U S A T I O N

16 **Registered Nurse License No. 631986**

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about February 4, 2004, the Board of Registered Nursing issued Registered
24 Nurse License Number 631986 to Ronald Philip Ross, a.k.a. Ronald Ross (Respondent). The
25 Registered Nurse License expired on June 30, 2005, and has not been renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board of Registered Nursing (Board),
28

1 Department of Consumer Affairs, under the authority of the following laws. All section
2 references are to the Business and Professions Code unless otherwise indicated.

3 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,
4 that the Board may discipline any licensee, including a licensee holding a temporary or an
5 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
6 Nursing Practice Act.

7 5. Section 2764 of the Code provides that the expiration of a license shall not deprive
8 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to
9 render a decision imposing discipline on the license. Under section 2811(b) of the Code, the
10 Board may renew an expired license at any time within eight years after the expiration.

11 STATUTORY PROVISIONS

12 6. Section 2761 of the Code states in relevant part that the board may take disciplinary
13 action against a certified or licensed nurse or deny an application for a certificate or license for
14 any of the following:

15 (a) Unprofessional conduct, which includes, but is not limited to, the following:

16 ...

17 (4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
18 against a health care professional license or certificate by another state or territory of the United
19 States, by any other government agency, or by another California health care professional
20 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
21 action.

22 REGULATORY PROVISIONS

23 7. California Code of Regulations, title 16, section 1419.3(b), states that "a licensee may
24 renew a license that has been expired for more than eight years by paying the renewal and penalty
25 fees specified in Section 1417 and providing evidence that he or she holds a current valid active
26 and clear registered nurse license in another state, a United States territory, or Canada, or by
27 passing the Board's current examination for licensure."

28 COST RECOVERY

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Out of State Discipline)
(Bus. & Prof. Section 2761, subd. (a)(4))

9. Respondent is subject to disciplinary action under Code section 2761, subdivision (a)(4), in that on or about January 25, 2006, *In the Matter of Ronald Philip Ross, RN License No. R0062707*, before the Oklahoma Board of Nursing (Oklahoma Board), Respondent agreed to the temporary suspension of his license to practice nursing in the State of Oklahoma until Respondent could provide the Oklahoma Board with satisfactory documentation of his acceptance into the Peer Assistance Program or evidence of his compliance with the Oklahoma Board's Guidelines for reinstatement after suspension. The circumstances underlying the stipulation, agreement and order are as follows:

a. On or about June 19, 2004, in Superior Court of California, County of Solano, Case No. FCR216952, Respondent was arrested and charged with driving under the influence, a misdemeanor.

b. On or about January 3, 2005, while employed as a traveling nurse at Lake Regional Hospital, located in Osage Beach, Missouri, Respondent tested positive for alcohol in a “for cause” drug screen.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Out of State Discipline)
(Bus. & Prof. Section 2761, subd. (a)(4))

10. Respondent is subject to disciplinary action under Code section 2761, subdivision (a)(4), in that on or about September 1, 2007, *In the Matter of Permanent Certificate Number 685620 Issued to Ronald Philip Ross*, before the Eligibility and Disciplinary Committee of the

1 Board of Nurse Examiners of the State of Texas (Texas Board), the Texas Board entered an order
2 adopting findings of fact and conclusions of law and recommending the revocation by default of
3 Respondent's license to practice nursing in Texas. Circumstances underlying the order are based
4 on formal charges as follows:

5 a. On or about January 25, 2006, Respondent's license to practice registered nursing in
6 the State of Oklahoma was temporarily suspended for reasons set forth in paragraph 10, above.

7 b. On or about May 26, 2006, Respondent's license to practice nursing in the State of
8 Oklahoma was revoked by the Oklahoma Board for a period of two (2) years as a result of
9 Respondent's termination from the Peer Assistance Program.

10 PRAYER

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
12 and that following the hearing, the Board of Registered Nursing issue a decision:

13 1. Revoking or suspending Registered Nurse License Number RN 631986, issued to
14 Ronald Philip Ross, a.k.a. Ronald Ross;

15 2. Ordering Ronald Philip Ross, a.k.a. Ronald Ross, to pay the Board of Registered
16 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to
17 Business and Professions Code section 125.3;

18 3. Taking such other and further action as deemed necessary and proper.
19

20 DATED: MARCH 2, 2013

21 *for* *Stacey Bailey*
22 LOUISE R. BAILEY, M.ED., RN
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant
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